

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

CR-15-61-GF-BMM

Plaintiff,

vs.

BILLI ANNE RAINING BIRD
MORSETTE

ORDER

Defendant.

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on May 17, 2023. (Doc. 135.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on May 16, 2023. (Doc. 130.) The United States accused Billi Anne Raining Bird Morsette (Morsette) of violating her conditions of supervised release 1) by using methamphetamine on two separate occasions; 2) by failing to report for mental health treatment on two separate

occasions; 3) by failing to comply with the terms of her substance abuse treatment program; 4) by failing to report for substance abuse treatment; and 5) by failing to report for substance abuse testing. (Doc. 128.)

At the revocation hearing, Morsette admitted to violating the conditions of her supervised release 1) by using methamphetamine on two separate occasions; 2) by failing to report for mental health treatment on two separate occasions; 3) by failing to comply with the terms of her substance abuse treatment program; and 4) by failing to report for substance abuse testing. The Court dismissed alleged violation 6 on the Government's motion. (Doc. 130.) Judge Johnston found that the violations that Morsette admitted proved to be serious and warranted revocation, and recommended that Morsette receive a custodial sentence of 7 months with no supervised release to follow. (Doc. 135.) Morsette was advised of her right to appeal and her right to allocute before the undersigned. (Doc. 130.) The violations prove serious and warrant revocation of Morsette's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 135) are **ADOPTED IN FULL**. **IT IS FURTHER ORDERED** that Defendant Billi Anne Raining Bird Morsette be sentenced to the custody of the United States Bureau of Prisons for 7 months with no supervised release to follow.

DATED this 1st day of June, 2023.



Brian Morris, Chief District Judge
United States District Court